

Minutes of Meeting
COLORADO RIVER BOARD OF CALIFORNIA
Wednesday, February 13, 2019

A meeting of the Colorado River Board (Board) of California was held on Wednesday, February 13, 2019.

Committee Members and Alternates Present

David De Jesus (MWD Alternate)

Dana B. Fisher, Jr. (PVID)

James Hanks (IID)

Jeanine Jones (DWR Designee)

Hank Kuiper (Public Member)

Nicole Neeman-Brady (Public Member)

Peter Nelson, Chairman (CVWD)

Glen D. Peterson (MWD)

David R. Pettijohn (LADWP)

David Vigil (DFW Alternate)

Mark Watton (SDCWA Alternate)

Committee Members and Alternates Absent

Evelyn Cortez-Davis (LADWP Alternate)

Christopher Hayes (DFW Designee)

John Powell, Jr. (CVWD Alternate)

Jack Seiler (PVID Alternate)

Norma Sierra Galindo (IID Alternate)

Doug Wilson (SDCWA)

Others Present

Steve Abbott

Melissa Baum-Haley

Robert Cheng

Elsa Contreras

Christopher Harris

Bill Hasencamp

Joanna Hoff

Ned Hyduke

Laura Lamdin

Tom Levy

Lindia Liu

Henry Martinez

Kara Mathews

Jessica Neuwerth

Ivory Reyburn

Kelly Rodgers

Shanti Rosset

Thang (Vic) Nguyen

Tom Ryan

Tina Shields

Gary Tavetian

Alina Tishchenko

Cherie Watte

Jerry Zimmerman

CALL TO ORDER

Chairman Nelson announced the presence of a quorum and called the meeting to order at 10:02 a.m.

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Chairman Nelson invited members of the audience to address the Board on items on the agenda or matters related to the Board. Hearing none, Chairman Nelson moved to the next item on the agenda.

ADMINISTRATION

Chairman Nelson asked for a motion to approve the January 9, 2019 meeting minutes. Mr. Fisher moved that the minutes be approved, seconded by Mr. Kuiper. By roll-call vote the minutes were unanimously approved.

Chairman Nelson open up the discussion and asked for the Election of Officers of the Colorado River Board of California. Mr. Fisher nominated Mr. Nelson as a Chairman and Mr. Pettijohn as Vice Chairman. Mr. Fisher moved that the nominations be approved, seconded by Mr. Kuiper. By roll-call vote the nominations were adopted with unanimous consent.

Mr. Harris updated the Board on the Personnel Action which included two new employees that will be joining the Board soon: Office Technician and Principal Engineer.

COLORADO RIVER BASIN WATER REPORTS

Colorado River Basin Report

Mr. Harris reported that as February 4th, the water level at Lake Powell was 3,575.7 feet with 9.58 million-acre feet (MAF) of storage, or 39% of capacity. The water level at Lake Mead was 1,085.8 feet 10.50 million-acre feet (MAF) of storage, or 40% of capacity. As of February 4th, total system storage was 26.90 MAF, or 45% of capacity, which is about 4.95 MAF less than system storage at this same time last year.

Mr. Harris reported the forecasted Water Year-2019 inflow into Lake Powell is 7.70 MAF, or 71% of normal. The Forecasted April – July 2019 inflow into Lake Powell is 5.30 MAF, or 74% of normal. For Water Year-2019, the January observed inflow and February forecasted inflow into Lake Powell is 0.21 MAF (58% of normal) and 0.25 MAF (64% of normal), respectively. To date, the WY-2019 precipitation and the current basin snowpack are both 104% of normal.

Mr. Harris reported that the Upper Green River Basin has been a significant producer of precipitation in recent years, although this season's precipitation conditions in the subbasin are below average.

Mr. Harris reported that as of February 4th, the Upper Colorado River basin reservoirs, excluding Lake Powell, ranged from 42% of capacity at Fontenelle Reservoir in Wyoming; 85% of capacity at Flaming Gorge Reservoir in Wyoming and Utah; 91% of capacity at Morrow Point and 30% of capacity at Blue Mesa Reservoirs in Colorado; and 51% of capacity at Navajo Reservoir in New Mexico.

Mr. Harris reported that as of January 31st, Brock and Senator Wash Reservoirs captured 12,225 AF and 12,881 AF, respectively. He also reported that the excess deliveries to Mexico through February 3rd were 1,572 AF. As of February 11th, the total bypassed to the Cienega de Santa Clara in Mexico was 10,792 AF.

January 2019 MTOM/CRSS Results

Mr. Harris reported that the U.S. Bureau of Reclamation (Reclamation) released the results of latest Mid-Term Operations Model (MTOM) and Colorado River Simulation System (CRSS) projections for system operations over the next 5 years. Mr. Harris reported that the January 2019 MTOM/CRSS results show that the probability of shortage at any level in 2020 is 69% and increases to 82%, 81%, and 79% in 2021, 2022, and 2023, respectively. Mr. Harris noted that the results show an increase in probabilities compared to the August 2018 MTOM/CRSS results. In addition, the probabilities for 2nd tier (Lake Mead's elevation between 1,050 feet and 1,025 feet) and 3rd tier (Lake Mead's elevation between below 1,020) shortage conditions have also increased. Mr. Harris noted that the modeling results did not consider DCP implementation. Chairman Nelson remarked that at elevation 1,025, Lake Mead will contain close to 6 MAF, which is less than a year's supply of water for the Lower Basin States.

State and Local Report

Mr. Harris reported that despite the above average precipitation that the State has received, there are still areas that are abnormally dry. He also reported that the extreme drought conditions continue to plague areas of the Four Corners region, particularly in northwestern New Mexico and southwestern Colorado.

Ms. Jones, representing the California Department of Water Resources (DWR), reported reservoir storage conditions are doing well due to the above average precipitation that the State is receiving. She noted that there are some areas in California that are having difficulty recovering from the drought. Ms. Jones reported that the statewide snowpack is 130% of average, noting that the snowpack is greater in the southern Sierras than the northern Sierras.

Ms. Jones reported that DWR has recently activated its flood operations center. She noted that there are several areas that will reach a warning or watch stage due to the amount of precipitation the State is receiving. Ms. Jones noted that DWR is anticipating flooding in areas that are prone to flooding, such as the Russian River.

Ms. Jones reiterated that overall precipitation and reservoir storage conditions are doing well. She remarked that areas that experienced depleted watersheds due to previous drought conditions, such as the central coast, are recovering well. She stated that an active weather pattern is expected in the following week that will bring additional precipitation to California.

Mr. Harris inquired about DWR's atmospheric river (AR) monitoring system. Ms. Jones discussed the importance of the AR observatories to track ARs, noting that the west coast experienced 64 ARs this winter season. Ms. Jones reported that the upcoming storm will have colder temperatures, which is important for accumulating snowpack. She noted that as the week progresses, the storm will become warmer and build less snow pack. Chairman Nelson inquired about the relationship between rain upon snow and snowmelt. Ms. Jones remarked that a rain on snow flood is a localized issue. She stated that the driving force of snowmelt is sunshine, known as albedo. She noted that a storm with a freezing elevation at 5,000-feet in January will have a different impact than a storm with a 5,000-foot freezing elevation in March because of the difference in albedo.

Mr. Nelson asked about the operations of Oroville reservoir during the State's recent storm activity. Ms. Jones responded that the reservoir is operating under the Corp of Engineers' rule curve stipulating the amount of water released.

Mr. Peterson, representing the Metropolitan Water District of Southern California (MWD), reported that MWD combined system storage is 87% of capacity. He noted that MWD has been putting water into its various storage accounts. He also noted that the Colorado Aqueduct is operating on a two-pump flow and as of February 3rd, water deliveries have been the lowest in MWD's history.

Mr. Pettijohn, representing the Los Angeles Department of Water and Power (LADWP), reported that the current snowpack condition for the Eastern Sierra is 146% of normal, noting that the snowpack is already a couple of inches above the annual average.

STATUS OF COLORADO RIVER BASIN PROGRAMS

Lower Basin Drought Contingency Plan

Mr. Harris reported that the Commissioner of Reclamation issued a federal register notice on February 1, 2019 stating that a fifteen-day comment period would be opened on March 4th if the DCP was not completed before that date. He explained the comment period will provide an

opportunity for the governors of the Seven Basin States to provide specific recommendations for Departmental action to reduce the risks the Basin is facing as it relates to declining reservoir levels.

Mr. Harris reported that Coachella Valley Water District, Palo Verde Water District and MWD have approved the interstate DCP package as well as the intrastate California ICS agreements. He noted that approval of new ICS exhibits and an appendix to the Lower Basin Operations (LBOps) document are still under development and awaiting approval. Mr. Harris noted that Arizona continues its efforts to finalize its DCP negotiations.

Mr. Harris reported that Imperial Irrigation District (IID) has approved the intrastate amended ICS agreement and has approved an agreement with MWD related to DCP contributions. Mr. Harris reported that IID has given conditional approval of the interstate DCP package while it continues to work on securing additional funding for Salton Sea management.

Mr. Harris added that Steven Hvinden from the Boulder Canyon Operations office is working with contractors participating in the DCP and the Lower Basin States to set up meetings to finalize the ICS exhibits and LBOps Appendix. He added that a Lower Basin States Principals meeting is scheduled for February 25th in Las Vegas, Nevada to discuss these documents.

Mr. Harris noted that if the DCP agreements are not complete by the March deadline, the Board needs to consider drafting a recommendation letter to Reclamation from Chairman Nelson as the California Commissioner. Mr. Harris explained to the Board that the DCP process will be complete once the participating agencies have approved the interstate agreements and the federal legislation and relevant documents can be considered and advanced to Congress. Further, Mr. Harris explained that it is important for there to be consensus among all participants, especially as it relates to advancing the federal legislation.

Mr. Harris stated Reclamation anticipates the California agencies completing its ICS exhibits by February 25th to meet the March deadline. He noted that meetings have been scheduled to discuss and move the ICS exhibits forward. Board Member Watton, representing the San Diego County Water Authority (SDWA) remarked that it is not a Section-5 contractor but has a great interest in reviewing the ICS exhibits.

The Board members discussed their recommendations for progressing the DCP agreements. Board member Hanks, representing the IID, expressed concerns with the language of the proposed federal legislation for the DCP and discussed with the other Board members how it should be clarified. Mr. Harris explained that the goal of the federal legislation is to allow California to access water from Lake Mead, above its 4.4 MAF apportionment once its elevation drops below 1,075 feet. He noted that the legislation alleviates the concern held by the other Basin States that California would be violating the language of the decree in *Arizona v. California*. Mr. Harris added that the federal legislation authorizes the Secretary of the Interior to implement the DCP with all the rules and regulations stipulated in the LBOps, as implemented through intrastate agreements approved by participating agencies. He noted that the legislation does not circumvent

NEPA, CEQA or the Endangered Species Act, adding that it is premised on a set of interstate and intrastate agreements that were constructed to avoid environmental impact. Mr. Zimmerman reiterated the importance of the federal legislation, noting that it strictly applies to the implementation of the DCP.

The Board discussed their concerns regarding the potential funding for Salton Sea restoration through the Farm Bill. Chairman Nelson reported that CVWD passed a resolution to support the Department of Agriculture's use of the Farm Bill to attain funds for Salton Sea restoration efforts. He also acknowledged IID's concerns for addressing potential DCP related Salton Sea impacts. Mr. Harris explained that IID and MWD carefully negotiated an agreement to utilize water that had been previously conserved by IID and either stored in Lake Mead or within MWD's system. Further, Mr. Harris stated that this agreement would not require any additional conservation activities beyond those being performed pursuant to their 2003 QSA obligations. In addition, IID's obligation is capped with respect to previously conserved supplies through this interim period that the DCP would be implemented. Mr. Harris concluded the discussion noting that additional meetings will be scheduled to continue the approval process of the various intrastate agreements.

In response to a question from Board member Ms. Neeman-Brady regarding the role of the City of Needles, Mr. Harris explained that the City of Needles's approval is required for the DCP ICS-related forbearance agreements. Mr. Harris discussed the City of Needle's present perfected water rights and management history of Reclamation's Lower Colorado Water Supply Project. Mr. Harris explained that the Lower Colorado Water Supply Project allows users along the mainstream of the Colorado River in California to divert Colorado water. He stated the diverters currently use between 300 and 400 AF of water. The entire project, once it is fully built out, will utilize 10,000 AF in 5,000 AF increments. Mr. Harris remarked that a similar program would be beneficial to Arizona to address the illegal diversion of water along the Colorado river in Arizona.

Status of the Salinity Control Forum

Mr. Harris reported that Reclamation has adjusted the Paradox Valley Unit EIS schedule to allow additional evaluation of information related to visual, cultural, and air quality resources at the request of BLM. The Record of Decision for the EIS is still scheduled for release in the summer or fall of 2020. The Forum and Advisory Council are planning to meet in June in Denver, Colorado.

ANNOUNCEMENTS

Mr. Harris reported that during the federal government shut down, tentative bipartisan

agreement was reached on a Border Security package, although it is unclear if this will satisfy the Administration. Mr. David Bernhardt was nominated to serve as the Secretary of the Interior; Andrew Wheeler's nomination to serve as EPA Administrator is moving to the full Senate for confirmation; and Kiel Weaver has been appointed to serve as deputy assistant Secretary for Water and Science at Interior. It is expected that the House Natural Resources and Senate Energy and & Natural Resources Committees could hold hearings on proposed DCP federal legislation in March 2019.

Finally, Mr. Harris noted that the next meeting of the Colorado River Board would be March 13th.

ADJOURNMENT

With no further items to be brought before the Board, Chairman Nelson adjourned the meeting at 11:36 a.m.